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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/244,419	02/04/1999	TAKESHI KAMIMURA	Q053219	3733

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EXAMINER

NGUYEN, MADELEINE ANH VINH

ART UNIT PAPER NUMBER

2622

DATE MAILED: 03/25/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/244,419

Applicant(s)

KAMIMURA, TAKESHI

Examiner

Madeleine AV Nguyen

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 December 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-14 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 and 14 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. In view of the appeal brief filed on December 19, 2002, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 4-8, 12, 13 are rejected under 35 U.S.C. 102(b) as being anticipated by Baran (US Patent No. Re.34,429).

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Concerning claim 1, Baran et al discloses a system (Fig.1) for use in transferring, through a network (Fig.1), an operation document image extracted from an operation document (30, Fig.1, Figs.2) which is featured by a species (46, Fig.2a; A, Fig.2f), a destination (58, Fig.2a; 67, Fig.2f), and operation (44, Fig.2a; B-F, Fig.2f) to be handled to the operation document comprising a workflow control table (28, Fig.1; 68, Fig.2f) which stores the species, the destination and the operation assigned to each operation document; and an image identifying server (20, Fig.1; Fig.8) for identifying the species of the operation document from the operation document image to retrieve the species stored in the workflow control table in response to the identified species, to automatically recognize the corresponding destination and operation, and to transmit a recognized result to the network (col. 6, line 4-68; col. 7, lines 3-48; col. 8, lines 22-58; col. 9, line 55 – col. 10, line 64; col. 11, line 41 – col. 12, line 52; col. 16, lines 23-46).

Concerning claims 2, 4-8, Baran et al further teaches an input device ((32, Fig.1; 172, Fig.8) coupled to the image identifier server to supply the operation document as the operation document image into the image identifying server; at least one terminal which includes a destination terminal (address, fax telephone number) as the destination and which is coupled to the network; the operation document image is processed on the basis of the operation designated by the recognized result, at the destination terminal which receives the operation document image; the image identifying server identifies the species of the operation document by using character recognition of an identification code (24, Fig.1) representative of the species when the identification code is included in the operation of the document; the image identifying server identifies the species of the operation document by recognizing an image pattern (bar code) particular to the operation document when an identification code which stands for the species is

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not included in the operation document; the destination terminal automatically activates a program performing the corresponding operation to the recognized result when the terminal receives the operation document image (Figs.1, 2a, 2f, col. 6, line 4-68; col. 7, lines 3-48; col. 8, lines 22-58; col. 9, line 55 – col. 10, line 64; col. 11, line 41 – col. 12, line 52; col. 16, lines 23-46).

Claim 12 is method claim of apparatus claim 1. Claim 12 is rejected for the same rationales as set forth for claim 1.

Concerning claim 13, Baran teaches a computer readable medium (20) which stores a program operable for managing image workflow as discussed in claim 1 above.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 3, 9-10, are rejected under 35 U.S.C. 103(a) as being unpatentable over Baran et al as applied to claim 1 above, and further in view of Tadamura et al (US Patent No. 5,537,401).

Concerning claim 3, Baran further teaches that the recognized result is transmitted to the network together with the operation document image. Baran fails to teach that the transmitted data is in the form of packet. Tadamura et al discloses a server system of exchanging server data in a packet unit wherein a plurality of users can simultaneously utilize the same resource (Figs.1,

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7; Abstract). It would have been obvious to one skilled in the art at the time the invention was made to combine the teaching of transmissions between servers and a plurality of terminals in the form of a packet taught in Tadamura to the system in Baran since both of them teach a server system which can communicate a plurality of fax machines with a server through a telephone network.

Concerning claims 9-10, Tadamura further teaches that the server 104 transmits the packet to a plurality of destination terminals simultaneously; the packet is transmitted from a first terminal to a second terminal after processing the packet at the first terminal (Abstract; Figs. 30, 31, 32, 34; col. 5, lines 17-49; col. 7, lines 26 – col. 8, line 26; col. 23, line 22 – col. 26, line 5).

5. Claim 14 is rejected under 35 U.S.C. 103(a) as being unpatentable over Baran et al as applied to claim 1 above, and further in view of Yamakita (US Patent No. 5,956,681).

Concerning claim 14, Baran et al fails to teach that the destination is an IP address. Yamakita discloses a communication system (Fig.1) comprising a server (host unit 108) having a fax transmission and reception section 120 which can transmit and receive fax message through Internet 105. A communication section 111 in a terminal 101 sends a TPC/IP packet which stores a “destination IP address”, a “transmission source IP address” and a “terminal identification code” to the server 108 (Figs. 1, 6, 7; Abstract; col. 4, lines 14-64). It would have been obvious to one skilled in the art at the time the invention was made to combine the teaching of the communication between a destination and a server wherein the destination address is an IP address taught in Yamakita to the system in Baran et al since Baran teaches that server 20 has a switch 12 having a plurality of different lines (14a-14e) and a plurality of different modems 22a-

22c that can have different communications with other terminals (G3, G4, etc.), (col. 6, lines 18-66).

Allowable Subject Matter

6. Claim 11 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an Examiner's Statement of Reasons for Allowance: Claims are allowable over the prior art of record because the Examiner found neither prior art cited in its entirety, nor based on the prior art, found any motivation to combine any of the said prior art which teaches an image workflow system as claimed in claim 1 wherein the image identifying server observes efficiency of a plurality of terminals and selects the one of the terminals which have the lowest efficiency as the destination terminal when the plurality of terminals are associated with the single identification species in the workflow control table.

Conclusion

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

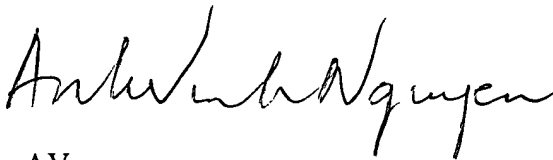
- a. Kikuchi et al (US Patent No. 5,552,901) discloses a facsimile server system comprising a facsimile server and at least one remote facsimile.

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8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Madeleine AV Nguyen whose telephone number is 703 305-4860. The examiner can normally be reached on 8:30-6:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Edward L. Coles can be reached on 703 305-4712. The fax phone numbers for the organization where this application or proceeding is assigned are 703 872-9314 for regular communications and 703 872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703 305-4700.



AV
March 13, 2003

Madeleine AV Nguyen
Primary Examiner
Art Unit 2622